

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DAVID G. STERN,)
Petitioner,)
)
v.) Civ. No. 04-10465-NG
)
DAVID L. WINN, Warden,)
Respondent.)
GERTNER, D.J.:

ORDER

In light of the First Circuit's decision in Golding v. Winn, C.A. No. 03-2633, the Bureau of Prisons is hereby directed to fairly and impartially consider whether petitioner qualifies for transfer into a community confinement facility. The decision makes clear that there is no legal bar preventing the Bureau of Prisons from doing so. This Court will trust that respondent will act in good faith and take action as soon as possible.

SO ORDERED.

Dated: September 17, 2004

s/NANCY GERTNER, U.S.D.J.